

Notice of Allowability

Application No.

09/551,919

Examiner

Beemnet W. Dada

Applicant(s)

TOSEY, JOSEPH P.R.

Art Unit

2135

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to an appeal brief filed on 02/07/06.
2. ☒ The allowed claim(s) is/are 1-36.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

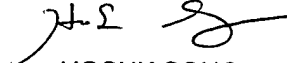
Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____


HOSUK SONG
PRIMARY EXAMINER

DETAILED ACTION

1. Claims 1-36 have been presented for examination. Claims 1, 12, 23 and 35 have been amended by an examiner's amendment in this office action. Claims 1-36 have been examined.

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mark R. Hennings Reg. No. 48,982 on 04/11/06.

The application has been amended as follows: In the claims,

1. (Currently amended) A method of authorizing a user to operate a user-operated device, the method comprising:

performing an authentication process to start an operating session;

detecting when the user is not operating the user-operated device;

suspending the operating session if the user has not operated the user-operated device for a first predetermined period;

continuing the operating session if the user performs an authentication-update process within a second predetermined time period after the operating session is suspended, wherein the authentication-update process comprises selection of at least two predetermined characters by the user; and

continuing the operating session if the user performs the authentication process after the operating session is suspended and the second predetermined time period is exceeded.

12. (Currently amended) An apparatus for authorizing a user to operate a user-operated device, the apparatus comprising:

means for authenticating a user to start an operating session;

means for detecting when the user is not operating the user-operated device;

means for suspending the operating session if the user has not operated the user-operated device for a first predetermined period; and

means for updating authentication of the user and re-entering the operating session if the user updates authentication within a second predetermined time period, wherein the user updates the authentication by selecting at least two predetermined characters.

23. (Currently amended) A device that is operable by a user during an operating session, the device comprising:

a user interface configured to provide user-understandable signals and to receive signals from the user; and

a control unit coupled to the user interface, wherein the control unit is configured to:
perform an authentication process with the user, the authentication process determining whether a user attempting to operate the device is an authorized user, wherein an operating session is started if the control unit determines that the user is an authorized user, the device entering an authenticated mode,

measure elapsed time from when the user last operated the device when the device is in the authenticated mode, the elapsed time being reset each time the user operates the device while the device is in the authenticated mode,

suspend the authenticated operating session if the elapsed time measured by the user reaches a first predetermined value, the device entering a suspended mode,

perform an authentication-update process with the user, wherein the authentication-update process comprises the user selecting at least two predetermined characters, the authentication-update process determining whether the user is an authorized user, wherein the device re-enters the authenticated mode to continue the operating session if the user completes the authentication-update process before the elapsed time reaches a second predetermined value, and

if the elapsed time exceeds the second predetermined time period, perform the authentication process with the user before re-entering the authenticated mode to continue the operating session.

35. (Currently amended) A method of authorizing a user to operate a user-operated device, the method comprising:

- performing an authentication process to start an operating session;
- detecting when the user is not operating the user-operated device;
- suspending the operating session if the user has not operated the user-operated device for a first predetermined period;
- continuing the operating session if the user performs an authentication-update process within a second predetermined time period after the operating session is suspended, wherein

the authentication-update process comprises the user inputting two predetermined characters
~~fewer steps than the authentication process~~; and

continuing the operating session if the user performs the authentication process after the operating session is suspended and the second predetermined time period is exceeded.

Allowable Subject Matter

Claims 1-36 are allowed.

The following is a statement of reasons for the indication of allowable subject matter:

Claims 1, 12, 23 and 35 are drawn to a method of authorization of a user to operate a device. The prior art on record teaches performing an authentication process to start an operating session, suspending the operation session when the user has not operated the device for a first predetermined period, continuing the operation session if the user operates the device within a second predetermined period and continuing the operation session if the user performs authentication process after the operation session is suspended and the second predetermined period is exceeded. However, the prior art on record does not teach or fairly suggest performing an authentication update process within the second predetermined period wherein the authentication update process comprises selection of at least two predetermined characters by the user.

Claims 2-11, 13-22, 24-34 and 36 depend from claims 1, 12, 23 and 35 and are allowed for the same reason applied thereto.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the

issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Beemnet W. Dada whose telephone number is (571) 272-3847. The examiner can normally be reached on Monday - Friday (9:00 am - 5:30 pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Y. Vu can be reached on (571) 272-3859. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Beemnet Dada

April 11, 2006


HOSUK SONG
PRIMARY EXAMINER